

REMARKS

Claims 1-63 were pending in this application. Claims 1-40, 46, 48-56, 58, 61, and 62 were withdrawn from consideration. In the Office Action, the Examiner rejected claims 57, 59, and 60 under 35 U.S.C. 102(b) as anticipated by U.S. Patent No. 4,572,199 to LaCourse; rejected claim 63 under 35 U.S.C. 102(b) as anticipated by Schneider et al.; rejected claims 41 and 45 under 35 U.S.C. 102(e) as anticipated by Torch; and rejected claim 47 under 35 USC 103(a) as unpatentable over Velez et al. in view of Resnick. The Examiner objected to claims 42-44 but he admitted that they would be allowable if rewritten in independent form.

The Examiner objected to informalities in Figures 1-11. The informalities have been corrected in the substitute drawings attached to this Amendment.

By this Amendment, the rejected claims, claims 41, 45, 47, 57, 59, 60, and 63, have been canceled without prejudice or disclaimer of the subject matter thereof. Accordingly, the rejections of those claims are moot. Applicants have rewritten Claims 42-44 in a form that the Examiner admitted would be allowable.

Claims 64-66, newly added in this amendment, are directed to methods, executed by a processor, for classifying brain stem function that include subject matter that the Examiner admitted would be allowable.

In view of the foregoing amendments and remarks, Applicants respectfully requests reconsideration and reexamination of this application and the timely allowance of the pending claims.

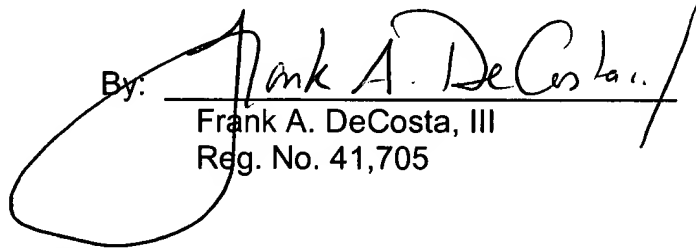
Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: December 3, 2004

By:

A handwritten signature in black ink, appearing to read "Frank A. DeCosta, III", is written over a horizontal line. To the left of the signature is a large, loopy handwritten mark that extends below the line.

Frank A. DeCosta, III
Reg. No. 41,705

Attachments: Attachments to this amendment include Submission of Replacement Drawings: 19 sheets (Figures 1-19).

AMENDMENTS TO THE DRAWINGS:

The attached sheets of drawings include changes to address the informalities noted by the Examiner and include element numbers and figure numbers that are thicker and clearer.

Attachments: Submission of Replacement Drawings: 19 sheets (Figures 1-19)